

RECEIVED  
CENTRAL FAX CENTER

ROBERT W. STROZIER, P.L.L.C. MAR 08 2006

A FIRM SPECIALIZING IN INTELLECTUAL PROPERTY LAW INCLUDING  
PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET LAW,  
UNFAIR COMPETITION AND RELATED MATTERS

P.O. BOX 429  
BELLAIRE, TEXAS 77402-0429  
5300 N. BRAESWOOD BLVD. #369  
HOUSTON, TEXAS 77096-3317

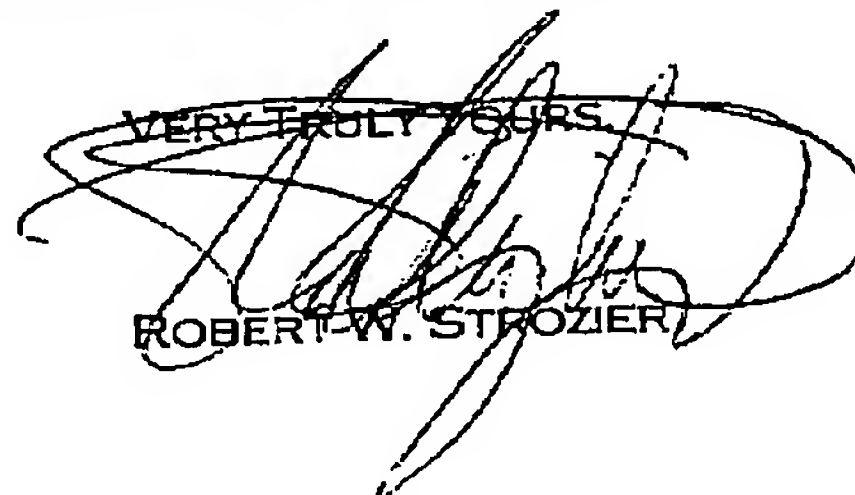
713.977.7000  
713.977.7011/FAX  
EMAIL: [RWSTROZ@FLASH.NET](mailto:RWSTROZ@FLASH.NET)

FACSIMILE TRANSMITTAL

TO: Examiner WD COLEMAN  
OF: USPTO  
FAX: 571 273 1856  
PHONE: 571 272 1856  
PAGES: 2 INCLUDING THIS COVER SHEET.  
DATE: 3/8/6

THIS FACSIMILE CONTAINS ATTORNEY-CLIENT COMMUNICATIONS. IF YOU ARE NOT THE DESIGNATED RECIPIENT, PLEASE CALL ME AND I WILL INSTRUCT YOU ON THE PROPER METHOD OF DESTROYING THE COMMUNICATION.

IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT ME.

VERY TRULY YOURS  
  
ROBERT W. STROZIER

USSN: 10/480 890

From the desk of...

Sandy

Mar 08 06 05:25p

p.3  
RECEIVED  
CENTRAL FAX CENTER

MAR 08 2006

# ROBERT W. STROZIER, P.L.L.C.

A FIRM SPECIALIZING IN INTELLECTUAL PROPERTY LAW INCLUDING  
PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET LAW,  
UNFAIR COMPETITION AND RELATED MATTERS

P.O. Box 429  
BELLAIRE, TEXAS 77402-0429  
5300 N. BRAESWOOD BLVD. #369  
HOUSTON, TEXAS 77096-3317

713.977.7000  
713.977.7011/FAX  
EMAIL: [RWSTROZ@FLASH.NET](mailto:RWSTROZ@FLASH.NET)

## FACSIMILE TRANSMITTAL

TO: Examiner HUYNH, P.

OF: USPTO

FAX: 571 273 8300

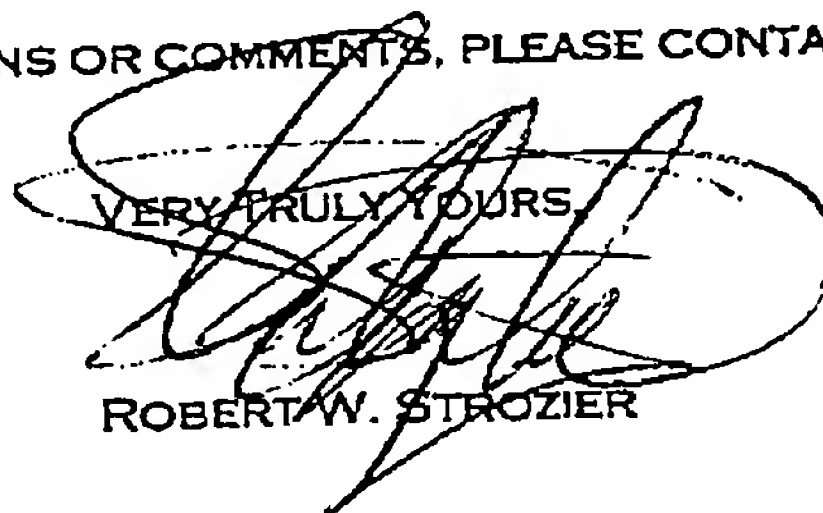
PHONE: \_\_\_\_\_

PAGES: 11, INCLUDING THIS COVER SHEET.

DATE: 3/8/6

THIS FACSIMILE CONTAINS ATTORNEY-CLIENT COMMUNICATIONS. IF YOU ARE NOT THE DESIGNATED RECIPIENT, PLEASE CALL ME AND I WILL INSTRUCT YOU ON THE PROPER METHOD OF DESTROYING THE COMMUNICATION.

IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT ME.

VERY TRULY YOURS  
  
ROBERT W. STROZIER

USSN: 10/806, 045  
Reo. NNCA

From the desk of...

Sandy

rrJ. 3



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,045	03/22/2004	Donald J. Kouri	96605/24UTL	9997
7590 03/03/2006				
ROBERT W. STROZIER P.O. BOX 429 BELLAIRE, TX 77402-0429				
			EXAMINER HUYNH, PHUONG	
			ART UNIT 2857	PAPER NUMBER

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	Application No.	Applicant(s)	
	10/806,045	KOURI ET AL.	
	Examiner	Art Unit	
	Phuong Huynh	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 23 January 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 15-17 must be identified as New.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

#### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment must be resubmitted**.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No. 02272006

MAR 08 2006

INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)	ATTY. DOCKET NO. 96605/17US	SERIAL NO. 10/480890
	APPLICANT Lichtenberger	
	FILING DATE 10/12/2004	GROUP 2812

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5873901	2/23/99	Ignatiev et al.	607	54	
	5109844	5/5/92	De Jaub, Jr.	607	53	
	6032062	2/29/00	Nisch	600	372	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 96 39221	12/12/96	US	A61F9	08		X

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

		Jesinger, RA et al: Flexible Electrode Array for Retinal Stimulation," Proceedings of the Annual International Conference of the Engineering in Medicine and Biology Society. Paris, Oct. 29 - Nov. 1, 1992, New York, IEEE, US, vol. 6 Conf. 14; 29 October 1992 page 2393. XP000346990
		Schubert MB et al: "Optimizing photodiode arrays for the use as retinal implants," Sensors and Actuators A, Elsevier Sequoia S.A., Lausanne, CH, vol. 74, no. 1-3, 20 April 1999, pages 193-197. XP004188085. ISSN: 0924-4247
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
PTO-FB-A820 Patent and Trademark Office-U.S. Department of Commerce (Modified)